COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION



In the Matter of:

A CERTIFICATION OF THE CARRIERS)	ADMINISTRATIVE
RECEIVING UNIVERSAL SERVICE)	CASE NO. 381
HIGH COST SUPPORT	j	

PETITION FOR CONFIDENTIAL TREATMENT

Windstream Kentucky East, LLC. ("WKE") and Windstream Kentucky West, LLC. ("WKW") move the Public Service Commission of Kentucky (the "Commission") pursuant to K.R.S. §61.878(1)(c)(1) and 807 KAR 5:001, Section 7 to accord confidential treatment to the USF Filings ("Filings") made herewith. By these USF Filings, WKE and WKW seek certification for Federal Universal Service Funds usage. In support of this Petition for Confidential Treatment, WKE and WKW state:

- 1. On September 25, 2001, the Commission issued an order in Administrative Case No. 381 requiring all carriers to file their plans for the use of any high-cost federal support by September 1 of each calendar year. Included in this filing is to be a listing of specific projects and their costs to which the Federal High Cost support will be applied.
- 2. The USF Filings contain a detailed listing of the proposed Capital Budget projects for WKE and WKW for the year 2011, including project description and associated project costs. This information has not been made public and WKE and WKW take all reasonable steps to prevent its public dissemination. Within WKE, WKW and affiliated companies the information is made known only on a need-to-know basis.

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COMMISSION

3. K.R.S. §61.878(1)(c)(1) excludes the following records from the requirements of the Open Records Act:

records confidentially disclosed to an agency or required by an agency to disclosed to it, generally recognized as confidential or proprietary, which if openly disclosed would permit an unfair commercial advantage to competitors of the entity that disclosed the records.

- 4. The telecommunications market in which WKE and WKW participate as providers of local exchange services is highly competitive. Other providers of local exchange service within the areas served by WKE and WKW include Insight Phone of Kentucky, LLC., Comcast Phone of Kentucky, LLC., d/b/a Comcast Digital Phone and Time Warner Cable Information Services, LLC.
- 5. Public disclosure of the contents of the USF Filings could provide other entities an unfair competitive advantage by revealing proposed network upgrade and modernization plans, certain aspects of competitive pricing, and certain aspects of operational planning.
- 6. Because the information contained in the USF Filings for which confidential treatment is sought is confidential and proprietary, is protected from public disclosure by WKE and WKW, and because its public disclosure would provide competitors of WKE and WKW an unfair competitive advantage, the Filing is exempted by K.R.S. §61.878(1)(c)(1) from disclosure under the Open Records Act. As a result, WKE and WKW are entitled under 807 KAR 5:001, Section 7 to confidential treatment by the Commission for the Filings.
- 7. Included with this Petition is one copy of the Filings that identifies by highlighting those portions of the Filings that are confidential. Also filed are ten copies of the Filing with the confidential information redacted.

WHEREFORE, Windstream Kentucky East, LLC. and Windstream Kentucky West, LLC. respectfully request that the highlighted information in the Filings be accorded confidential treatment and be placed in the confidential files of the Commission and that Windstream Kentucky East, LLC. and Windstream Kentucky West, LLC. be accorded all other relief to which they may be entitled.

This 30th day of August, 2010.

Respectfully submitted

Mark R. Overstreet

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PO. Box 634

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(502) 223-3477

COUNSEL FOR WINDSTREAM KENTUCKY EAST, LLC. AND WINDSTREAM KENTUCKY WEST, LLC.



COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE COMMISSION

In the Matter of:

A CERTIFICATION OF THE CARRIERS) ADMINISTRATIVE RECEIVING UNIVERSAL SERVICE) CASE NO. 381 HIGH COST SUPPORT)

On September 25, 2001, the Public Service Commission of Kentucky (the "Commission") issued an order in Administrative Case No. 381 requiring all carriers to file with the Commission their plans for the use of any high-cost federal support by September 1 of each calendar year.

Accordingly, Windstream Kentucky West, LLC., ("WKW") submits the following information and respectfully requests that the Commission file with the Federal Communications Commission ("FCC") and the Universal Service Administrative Company ("USAC") a certification that WKW's proposed capital expenditures for 2011 comply with the FCC's criteria and, accordingly, WKW is eligible to receive federal Universal Service Fund support.

Estimate of USF Support Amount

WKW estimates its Federal Universal Service support for 2011 will be approximately

Intended Use of Support

All Federal USF support received, for WKW properties in the Commonwealth of Kentucky, will only be used for the provision, maintenance and upgrading of facilities and services for which the support is intended, consistent with section 254(e) of the Telecommunications Act of 1996 (the Act).

Achieving Comparability of Rates and Services

In Section 254 of the Act, Congress articulated a national goal that consumers in all regions of the nation, including rural, insular and high cost areas, should have access to telecommunications and information services at rates that are reasonably comparable to rates charged for similar services in urban areas¹.

The actual cost to provide service in rural high cost areas is determined by many factors including the cost of the local loop and the costs associated with operating, maintaining, and upgrading facilities. Local loop costs and the costs of operating, maintaining, and upgrading facilities vary widely due to many factors, including subscriber density, terrain, local exchange size, accessibility, and labor costs². To this end, the Federal Universal Service support received by WKW will offset some of the financial burden of owning, operating, maintaining, and upgrading facilities in rural areas and allows these services to be offered at rates that are comparable to rates for similar services in non-rural areas.

Listing of Specific Projects

Attachment "A" contains a listing of WKW's specific Capital Budget projects and the estimated cost of each project currently budgeted for completion in 2011. WKW anticipates that these projects will be completed and associated dollars expended in 2011, but this is subject to change as conditions warrant. Additionally, WKW will use the Federal High Cost support funds and other funds generated from various sources to support not only the projects listed in Attachment "A", but also to maintain embedded plant and for various other purposes allowed by the Federal Communications Commission rules.

¹ See FCC's FOURTEENTH REPORT AND ORDER, TWENTY-SECOND ORDER ON RECONSIDERATION, AND FURTHER NOTICE OF PROPOSED RULEMAKING IN CC DOCKET NO. 96-45, AND REPORT AND ORDER IN CC DOCKET NO. 00-256, released May 23, 2001, paragraph 2

² Footnote 525, Page 116 of the FCC's Report and Order CC Docket No. 96-45

The capital projects scheduled for 2011 contained in Attachment "A," plus anticipated non-capital maintenance costs, will far exceed WKW's estimated Federal Universal Service support.

Contacts

Questions pertaining to the information contained in this filing may be directed to:

Jeanne S. Shearer Vice President – State Government Affairs 130 West New Circle Road STE 170 Lexington, KY 40505

Phone: 859.357.6125 Fax: 859.357.6163

Submitted this day of August, 2010.

Respectfully submitted,

WINDSTREAM KENTUCKY WEST, LLC.

Mark R. Overstreet

STITES & HARBISON, PLLC

421 West Main Street

P.O. Box 634

Frankfort, KY 40602-0634

Telephone: (502) 223-3477

COUNSEL FOR WINDSTREAM KENTUKY WEST, LLC.

ATTACHMENT A Windstream Kentucky West, LLC.

2011 Capital Budget Projects

Job Number	Description	Budget Category	Loaded/Total	Exchange	Companies	Јор Туре
722101002		2 - Transport		- NOTANOZ	ZONETON - 221 - Windstream Kentucky West	1 - Budgeted
722100992		2 - Transport			221 - Windstream Kentucky West	1 - Budgeted
722100075		3 - Outside Plant			221 - Windstream Kentucky West	1 - Budgeted
722100076		3 - Outside Plant			221 - Windstream Kentucky West	1 - Budgeted
722101005		3 - Outside Plant			221 - Windstream Kentucky West	1 - Budgeted
722100077		4 - Outside Plant Electronics		- TTV	221 - Windstream Kentucky West	1 - Budgeted
722100994		4 - Outside Plant Electronics			221 - Windstream Kentucky West	1 - Budgeted
		Grand Total				

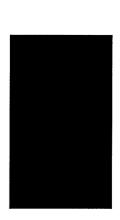
Switching Total
Transport Total
OSP Total
Access Total
L&B Total

Categories
1-Switching

2-Transport
3-Outside Plant

4-Outside Plant Electronics

9-Land & Buildings



Central Office Switching hardware and software
Central Office Transport Equipment-Bandwidth
Outside Plant projects for local loop and interoffice fiber
Outside Plant Electronics-remote switch (Digital Loop Carrier)
Land and Buildings

*Excludes routine fund projects

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A CERTIFICATION OF THE CARRIERS) ADMINISTRATIVE RECEIVING UNIVERSAL SERVICE) CASE NO. 381 HIGH COST SUPPORT)

On September 25, 2001, the Public Service Commission of Kentucky (the "Commission") issued an order in Administrative Case No. 381 requiring all carriers to file with the Commission their plans for the use of any high-cost federal support by September 1 of each calendar year.

Accordingly, Windstream Kentucky East, LLC., ("WKE") submits the following information and respectfully requests that the Commission file with the Federal Communications Commission ("FCC") and the Universal Service Administrative Company ("USAC") a certification that WKE's proposed capital expenditures for 2011 comply with the FCC's criteria and, accordingly, is eligible to receive federal Universal Service Fund support.

Estimate of USF Support Amount

WKE estimates its Federal Universal Service support for 2011 will be approximately

Intended Use of Support

All Federal USF support received, for WKE properties in the Commonwealth of Kentucky, will only be used for the provision, maintenance and upgrading of facilities and services for which the support is intended, consistent with section 254(e) of the Telecommunications Act of 1996 (the Act).

Achieving Comparability of Rates and Services

In Section 254 of the Act, Congress articulated a national goal that consumers in all regions of the nation, including rural, insular and high cost areas, should have access to telecommunications and information services at rates that are reasonably comparable to rates charged for similar services in urban areas¹.

The actual cost to provide service in rural high cost areas is determined by many factors including the cost of the local loop and the costs associated with operating, maintaining, and upgrading facilities. Local loop costs and the costs of operating, maintaining, and upgrading facilities vary widely due to many factors, including subscriber density, terrain, local exchange size, accessibility, and labor costs². To this end, the Federal Universal Service support received by WKE will offset some of the financial burden of owning, operating, maintaining, and upgrading facilities in rural areas and allows these services to be offered at rates that are comparable to rates for similar services in non-rural areas.

Listing of Specific Projects

Attachment "A" contains a listing of WKE's specific Capital Budget projects and the estimated cost of each project currently budgeted for completion in 2011 WKE anticipates that these projects will be completed and associated dollars expended in 2011, but this is subject to change as conditions warrant. Additionally, WKE will use the Federal High Cost support funds and other funds generated from various sources to support not only the projects listed in Attachment "A", but also to maintain embedded plant and for various other purposes allowed by the Federal Communications Commission rules.

As can be seen, the capital projects scheduled for 2011 contained in Attachment "A" far exceed WKE's estimated Federal Universal Service support.

¹ See FCC's FOURTEENTH REPORT AND ORDER, TWENTY-SECOND ORDER ON RECONSIDERATION, AND FURTHER NOTICE OF PROPOSED RULEMAKING IN CC DOCKET NO 96-45, AND REPORT AND ORDER IN CC DOCKET NO. 00-256, released May 23, 2001, paragraph 2.

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Phone: 859.357.6125 Fax: 859.357.6163

This day of August 2008.

Respectfully Submitted

Mark R. Overstreet

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COUNSEL FOR WINDSTREAM KENTUCKY EAST, LLC.

ATTACHMENT A

Windstream Kentucky East, LLC.

2011 Capital Budget Projects

1010010	7219012/8	721901272	721901234	721901233	721901285	721901239	721901228	721901227	721901225	721901268	721901277	721900997	721900992	721901129	721901137	721901135	721901287	721901156	721901150	721901116	721901107	721901114	721901148	721901130	721901144	721901133	721901128	721901106	771901134	721001129	721901136	727706177	721901221	721901220	721901219	721901149	721901145	721901143	721901147	721901102	721901100	721901039	721901038	721901099	721901023	721901022	721901018		721901101	721901036	<u> </u>	
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219 - Kentucky Windstream - GTE	***************************************	9 - Land & Buildings	721901179
219 - Ken		9 - Land & Buildings	721901175
219 - Kentucky Windstream - GTE		9 - Land & Buildings	721901166
219 - Kentucky Windstream - GTE		4 - Outside Plant Electronics	721901256
219 - Kentucky Windstream - GTE		4 - Outside Plant Electronics	721900999
219 - Kentucky Windstream - GTE		4 - Outside Plant Electronics	721900998
219 - Kentucky Windstream - GTE		4 - Outside Plant Electronics	721900994
219 - Kentucky Windstream - GTE		4 - Outside Plant Electronics	721900077
219 - Kentucky Windstream - GTE	VRSL -	4 - Outside Plant Electronics	721901269
219 - Kentucky Windstream - GTE	SHDN -	4 - Outside Plant Electronics	721901229
219 - Kentucky Windstream - GTE	RSSL -	4 - Outside Plant Electronics	721901251
219 - Kentucky Windstream - GTE	OWVL-	4 - Outside Plant Electronics	721901248
219 - Kentucky Windstream - GTE	NCVL -	4 - Outside Plant Electronics	721901273
219 - Kentucky Windstream - GTE	LXTN -	4 - Outside Plant Electronics	721901280
219 - Kentucky Windstream - GTE	LBRT-	4 - Outside Plant Electronics	721901279
219 - Kentucky Windstream - GTE	LBRT -	4 - Outside Plant Electronics	721901271
219 - Kentucky Windstream - GTE	LBNN -	4 - Outside Plant Electronics	721901232
219 - Kentucky Windstream - GTE	HTVL-	4 - Outside Plant Electronics	721901275
219 - Kentucky Windstream - GTE	GNUP -	4 - Outside Plant Electronics	721901254
219 - Kentucky Windstream - GTE	EZTW -	4 - Outside Plant Electronics	721901238
219 - Kentucky Windstream - GTE	CLMA -	4 - Outside Plant Electronics	721901226
219 - Kentucky Windstream - GTE	CECL-	4 - Outside Plant Electronics	721901224
219 - Kentucky Windstream - GTE	BERE -	4 - Outside Plant Electronics	721901276
219 - Kentucky Windstream - GTE		3 - Outside Plant	721901274
219 - Kentucky Windstream - GTE		3 - Outside Plant	721901257
219 - Kentucky Windstream - GTE		3 - Outside Plant	721901255
219 - Kentucky Windstream - GTE		3 - Outside Plant	721901252
219 - Kentucky Windstream - GTE		3 - Outside Plant	721900076
219 - Kentucky Windstream - GTE		3 - Outside Plant	721900075
219 - Kentucky Windstream - GTE	VRSL-	3 - Outside Plant	721901270
219 - Kentucky Windstream - GTE	SHDN -	3 - Outside Plant	721901231
219 - Kentucky Windstream - GTE	SHDN -	3 - Outside Plant	721901230
219 - Kentucky Windstream - GTE	RSSL -	3 - Outside Plant	721901253
219 - Kentucky Windstream - GTE	OWVL -	3 - Outside Plant	721901250
219 - Kentucky Windstream - GTE	OWVL-	3 - Outside Plant	721901249
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Transport Total **Switching Total**

Access Total
L&B Total 9-Land & Buildings 4-Outside Plant Electronics 3-Outside Plant 2-Transport 1-Switching OSP Total Categories

Land and Buildings Outside Plant Electronics-remote switch (Digital Loop Carrier) Outside Plant projects for local loop and interoffice fiber Central Office Transport Equipment-Bandwidth Central Office Switching hardware and software

^{*}Excludes routine fund projects

220 - Kentucky Windstream - Contel 1 - Budgeted 220 - Kentucky Windstream - Co	220 - Ke 220 - Ke	BBVL - EBRN - MTVR - MTVR - WHLL - WHLL -		4 - Outside Plant Electronics 9 - Land & Buildings 9 - Land & Buildings		722001060 722001069
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	220 - Kei 220 - Kei	BBVL - EBRN - MTVR - MTVR - WHLL -		4 - Outside Plant Electronics		722000994
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	220 - Ke 220 - Ke	BBVL - EBRN - MTVR -		4 - Outside Plant Electronics		722001070
	220 - Ke 220 - Ke 220 - Ke 220 - Ke 220 - Ke 220 - Ke	BBVL - EBRN -		4 - Outside Plant Electronics		722001097
	220 - Ke 220 - Ke 220 - Ke 220 - Ke 220 - Ke 220 - Ke	BBVL -		4 - Outside Plant Electronics		722001095
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	220 - Kei 220 - Kei			3 - Outside Plant		722001098
	220 - Kei			3 - Outside Plant		722001093
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	220 - Kei			3 - Outside Plant		722000076
	220 - Kei			3 - Outside Plant		722000075
	220 - Kei	WHLL -		3 - Outside Plant		722001073
	220 - Kei	WHLL -		3 - Outside Plant		722001071
	220 - Kei	MTVR -		3 - Outside Plant		722001099
	220 - Kei	MTVR -		3 - Outside Plant		722001096
	220 - Kei	IRVN -		3 - Outside Plant		722001110
	220 - Kei	IRVN -		3 - Outside Plant		722001109
	220 - Kei	EBRN -	•	3 - Outside Plant		722001088
	220 - Kei	BBVL -		3 - Outside Plant		722001094
	220 - Kei			2 - Transport		722000992
		WASHINGTON-		2 - Transport		722001039
		SMITHS GROVE -		2 - Transport		722001049
	220 - Kei	SHOPVILLE -		2 - Transport		722001031
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٠.	220 - Kei	LONDON -		2 - Transport		722001030
1 -	220 - Kei	LONDON -		2 - Transport		722001029
220 - Kentucky Windstream - Contel 1 - Budgeted		GERMANTOWN -		2 - Transport		722001041
1 -	220 - Kei	FERNLEAF -		2 - Transport		722001044
1 -	220 - Kei	CANEYVILLE -		2 - Transport		722001050
220 - Kentucky Windstream - Contel 1 - Budgeted	- 220 - Kei	BROWNSVILLE		2 - Transport		722001051
220 - Kentucky Windstream - Contel 1 - Budgeted		BROOKSVILLE -		2 - Transport		722001040
220 - Kentucky Windstream - Contel 1 - Budgeted		BARBOURVILLE		2 - Transport		722001036
1 -	220 - Kei	LONDON -	***	1 - Switching		722001027
1 -	220 - Kei	IRVINE -	1	1 - Switching		722001026
Contel 1-	220 - Kei	Evarts -		1 - Switching		722001004
m - Contel 1 - B	220 - Kei	Evarts -		1 - Switching		722001002
Companies Job Type		Exchange	Loaded/Tota	Budget Category	Description	Job Number

Switching Total
Transport Total
OSP Total
Access Total
L&B Total

Categories
1-Switching
2-Transport
3-Outside Plant
4-Outside Plant Electronics
9-Land & Buildings



Central Office Switching hardware and software
Central Office Transport Equipment-Bandwidth
Outside Plant projects for local loop and interoffice fiber
Outside Plant Electronics-remote switch (Digital Loop Carrier)
Land and Buildings

*Excludes routine fund projects